

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7589

Petition of Central Vermont Public Service)
Corporation for a Certificate of Public Good)
approving the purchase of electricity pursuant to)
a Power Purchase Agreement with Granite)
Reliable Power, LLC)

and

Docket No. 7590

Petition of Green Mountain Power Corporation)
for a Certificate of Public Good approving the)
purchase of electricity pursuant to a Power)
Purchase Agreement with Granite Reliable)
Power, LLC)

Order entered: 2/8/2010

PREHEARING CONFERENCE MEMORANDUM

On February 4, 2010, we convened a joint prehearing conference in these proceedings. The following persons entered appearances: Laura Beliveau, Esq., for the Vermont Department of Public Service ("DPS"); Kenneth Picton, Esq.,¹ and Jeanne Burns, Esq., for Central Vermont Public Service Corporation ("CVPS"); and Benjamin Marks, Esq., for Green Mountain Power Corporation ("GMP").

At the prehearing conference, the parties discussed the schedule for these proceedings. CVPS and GMP explained that they would like an Order from the Public Service Board ("Board") by May 1, 2010, because the Power Purchase Agreement ("Agreement") provides that, under certain circumstances, the Agreement may be terminated if Board approval is not received by that date. The DPS stated that it understands why CVPS and GMP would like a Board order

1. Mr. Picton has not yet entered a notice of appearance pursuant to Board Rule 2.201(A).

by May 1, 2010, and that it may be possible for the Board to issue an order by that date if there is a settlement in the cases. However, according to the DPS, if the cases are fully litigated, it is unrealistic to expect a Board order by that date. As a result, the parties agreed upon a schedule for a "Settlement Track" and agreed to file their proposed schedules for a "Litigation Track" on or before February 9, 2010.

The Settlement Track schedule agreed to by the parties, and accepted by us at the prehearing conference, is as follows:

February 4, 2010	Informal Discovery begins
February 18, 2010	Deadline for Motions to Intervene
Responses to each Motion to Intervene will be due one week after the Motion is filed	
7:15 p.m., March 3, 2010 ²	Public Hearing using Vermont Interactive Television sites in Bennington, Brattleboro, Lyndonville, Middlebury, Montpelier, Randolph, Rutland, Springfield, St. Albans, Waterbury, Williston & White River Junction
March 5, 2010 ³	Target date for the filing of a Memorandum of Understanding
March 22, 2010	Technical Hearing
March 29, 2010	Parties to file joint Proposal for Decision
April 16, 2010	Target Date for Proposal for Decision
April 23, 2010	Comments Due on Proposal for Decision
April 30, 2010	Target Date for Board Order

Because of the tight schedule in these proceedings, parties may file required documents electronically with the Board (to psb.clerk@state.vt.us) and all parties by the dates specified above, with hard copy to follow.

The parties recognized at the prehearing conference that if there are any intervenors, it may be necessary to adjust the schedule for these proceedings. Therefore, if there are any

2. This date was picked after the prehearing conference from among those suggested by the parties, based on the availability of the Vermont Interactive Television sites.

3. At the prehearing conference, the parties agreed to a March 1 target date for the filing of a Memorandum of Understanding. We have modified the target date so that it falls after the public hearing.

intervenors, parties should notify the Hearing Officers as soon as practicable if a change to the schedule is required.

At the prehearing conference, CVPS and the DPS also discussed the fact that CVPS's petition in Docket 7589 requests that the Board make certain findings regarding the economic used-and-usefulness of the Agreement, in addition to approving the Agreement under 30 V.S.A. § 248.⁴ CVPS stated that while it would prefer that the economic used-and-usefulness issue be addressed in the Board's Order regarding Section 248 approval, it is willing to bifurcate this issue, if necessary, to avoid delaying the issuance of an order regarding Section 248 approval. CVPS and the DPS will include their recommendations regarding whether Docket 7589 should be bifurcated in their February 9, 2010, filings proposing a litigation schedule for the proceeding.

SO ORDERED.

Dated at Montpelier, Vermont, this 8th day of February, 2010.

s/Edward McNamara
Edward McNamara
Hearing Officer, Docket 7589

s/Ann Bishop
Ann Bishop
Hearing Officer, Docket 7590

OFFICE OF THE CLERK

FILED: February 8, 2010

ATTEST: s/Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

4. GMP's petition in Docket 7590 does not include such a request.